

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

I hereby certify that this transmittal of the below described document is being deposited with the United States Postal Service in an envelope bearing First Class Postage and addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, on the below date of deposit.

Date of Deposit:	12/24/2007	Name of Person Making the Deposit:	Christina Acosta	Signature of the Person Making the Deposit:	
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In re Application of: Banning et al

Application No.: 10/672,790

Examiner: Pan, D. H.

Filed: 9/26/2003

Art Unit: 2183

Confirmation No.: 9488

For: SYSTEM AND METHOD OF INSTRUCTION MODIFICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application

☒ Transmitted herewith is a response to an office action for the above identified patent application.

(23 sheets)

Transmitted herewith are _____ sheets of substitute formal drawings.

Other: _____

2. Applicant is other than a small entity

Extension of Term

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136
(fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

<u>Extension</u>	<u>Fee</u>
<input type="checkbox"/> one month	\$120.00
<input type="checkbox"/> two months	\$450.00
<input type="checkbox"/> three months	\$1,020.00
<input type="checkbox"/> four months	\$1,590.00
<input type="checkbox"/> five months	\$2,160.00
	Fee \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

Fee Calculation

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(for other than a small entity)					
Fee Items	Claims Remaining After Amendment	Highest Number of Claims Previously Paid For	Present Extra Claims	Fee Rate	Total
Total Claims	45	- 45 =	0	x \$50.00	\$00.00
Independent Claims	6	- 6 =	0	x \$200.00	\$00.00
Multiple Dependent Claim Fee (one or more, first added by this amendment)				\$360.00	\$00.00
Total Fees					\$00.00

PAYMENT OF FEES


5. The full fee due in connection with this communication is provided as follows:
- ☒ [X] The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No.: 50-4160.
A duplicate copy of this authorization is enclosed.
- ☐ [] A check in the amount of \$
- ☐ [] Charge any fees required or credit any overpayments associated with this filing to Deposit Account No.: 50-4160.

Please direct all correspondence concerning the above-identified application to the following address:

MURABITO, HAO & BARNES LLP
Two North Market Street, Third Floor
San Jose, California 95113
(408) 938-9060
Customer No: 45590

Respectfully submitted,

Date: 12/24/2007

By: 
Anthony C. Murabito
Reg. No. 35,295

TRAN-P243

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Banning et al.

Serial: 10/672,790

Group Art Unit: 2183

Filed: September 26, 2003

Examiner: Pan, D. H.

For: SYSTEM AND METHOD OF INSTRUCTION MODIFICATION

Honorable Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

In response to the Official Action mailed September 24, 2007, in the above captioned case, Applicants respectfully request the Examiner to consider the following remarks.

TRAN-P243/ACM/NAO
Examiner: Pan, D. H.

Serial No.: 10/672,790
Group Art Unit: 2183